

## **REMARKS**

### **Status of Claims**

The Office Action mailed 21 August 2006 has been received and reviewed. Each of claims 1, 3-20, 30, 32-35, and 43-45 stand rejected. Claims 1, 30, and 44 are amended. Reconsideration of the present application in view of the amendments and following remarks is respectfully requested.

### **Substance of the Interview**

Applicant thanks examiners Hayes and Jabr for granting and conducting the in-person interview on 18 October 2006 and for considering our arguments and proposed amendment. Examiners Hayes and Jabr agreed that the objection to claims 20 and 35 would be withdrawn. Applicant indicated that the prior art, including MacDonald and Bonola, fail to teach or suggest the proposed element of identifying one or more services, wherein the services include telephone, network access, maintenance, software service, support, and hardware service utilized to execute computer transaction or a user request. Examiner Hayes indicated that a reasonable interpretation of Hayes may anticipate one of the enumerated services. Applicant responded that two or more of the enumerated services is not reasonable described by Saari. Examiner Jabr contended that further consideration of the amended element is required.

### **Claim Objections**

Claims 20 and 35 stand objected to under 37 C.F.R. 1.75(c), as being improper dependent claims. During the interview the Office agreed to withdraw the objection to claims 20 and 35.

### **Rejections under 35 U.S.C. §102(e)**

#### **A.) Applicable Authority**

“A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference.” *Verdeggal Brothers v. Union Oil Co. of California*, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987). “The identical invention must be shown in as complete detail as is

contained in the . . . claim.” *Richardson v. Suzuki Motor Co.*, 868 F.2d 1226, 1236, 9 USPQ2d 1913, 1920 (Fed. Cir. 1989). *See also*, MPEP § 2131.

B.) Anticipation Rejection Based on U.S. Patent No. 6,338,046 by Saari et al. (hereinafter “Saari”).

Claims 1, 7, 8, 18-20, 30, 32, 34-35, 43 and 44 stand rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 6,338,046 to Saari *et al.* This rejection is respectfully traversed because claims 1, 30, and 44 are amended to overcome this rejection.

Independent claim 1 is amended to require, among other things, “identifying two or more information technology services utilized to execute the computer transaction, wherein the information technology services include telephone services, network access services, maintenance services, software services, support services, and hardware services.”

Independent claim 30 is amended to require, among other things, “receiving the user process request at two or more service processes, wherein the two or more service processes include telephone services, network access services, maintenance services, software services, support services, and hardware services.”

Independent claim 44 is amended to require, among other things, “a service identification component for identifying two or more services necessary for conducting the computer transaction, wherein the two or more services include telephone services, network access services, maintenance services, software services, support services, and hardware services.” Support for the above amendments may be located in Applicant’s specification at least at FIG. 1 and p. 13, ll. 15-20.

It is respectfully submitted that the cited prior art, including Saari, fails to describe, among other things, the amended elements of independent claims 1, 30, and 44.

Unlike Saari, the claimed invention of claims 1, 30 and 44 expressly requires identification of two or more services associated with a computer transaction or user request. There is nothing in Saari that describes the claimed identification of the services.

Accordingly, for at least the foregoing reasons, withdrawal of the anticipation rejection of claims 1, 30, and 44 is respectfully requested.

Dependent claims 7, 8, 18-20, 32, 34-35, and 43 further define novel features of the claimed embodiments and each depend, either directly or indirectly, from one of independent claims 1, 30, and 44. Accordingly, for at least the foregoing reasons with respect to independent claims 1, 30, and 44, dependent claims 7, 8, 18-20, 32, 34-35, and 43 are believed to be in condition for allowance by virtue of their dependency. *See, In re Fine*, 5 USPQ2d 1596, 1600 (Fed. Cir. 1988); *see also*, MPEP § 2143.01. As such, withdrawal of the anticipation rejection of dependent claims 7, 8, 18-20, 32, 34-35, and 43 is respectfully requested.

### **Rejections under 35 U.S.C. §103**

#### **A.) Applicable Authority**

The basic requirements of a *prima facie* case of obviousness are summarized in MPEP §2143 through §2143.03. In order “[t]o establish a *prima facie* case of obviousness, three basic criteria must be met. First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings. Second, there must be a reasonable expectation of success [in combining the references]. Finally, the prior art reference (or references when combined) must teach or suggest all the claim limitations. The teaching or suggestion to make the claimed combination and the reasonable expectation of success must both be found in the prior art and not based on applicant’s disclosure. *In re Vaeck*, 947 F.2d 488, 20 USPQ2d 1438 (Fed. Cir. 1991)”. MPEP §2143. Further, in establishing a *prima facie* case of obviousness, the initial burden is placed on the Examiner. “To support the conclusion that the claimed invention is directed to obvious subject matter, either the references must expressly or impliedly suggest the claimed invention or the examiner must present a convincing line of reasoning as to why the artisan would have found the claimed invention to have been obvious in light of the teachings of the references. *Ex parte Clapp*, 227 USPQ 972, 972, (Bd. Pat App. & Inter. 1985).” *Id.* *See also* MPEP §706.02(j) and §2142.

B.) Obviousness Rejections Based on Saari.

Claims 3, 13 and 33 were rejected under 35 U.S.C. §103(a) as being unpatentable over Saari *et al.* Applicant respectfully traverses this rejection because all claimed limitations are not taught or suggested by the reference.

Dependent claims 3, 13, and 33 further define novel features of the claimed embodiments and each depend, either directly or indirectly, from one of independent claims 1 and 30. Accordingly, for at least the foregoing reasons with respect to independent claims 1 and 3, dependent claims 3, 13, and 33 are believed to be in condition for allowance by virtue of their dependency. *See, In re Fine*, 5 USPQ2d 1596, 1600 (Fed. Cir. 1988); *see also*, MPEP § 2143.01. As such, withdrawal of the obviousness rejection of dependent claims 3, 13, and 33 is respectfully requested.

C.) Obviousness Rejection Based on Saari and U.S. Publication No. 2005/0060584 by Ginter et al. (herein after Ginter).

Claims 4-6, 9-12, 14-17, and 45 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Saari and Ginter. Applicant respectfully traverses this rejection because all claimed limitations are not taught or suggested by the reference

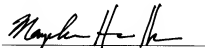
Dependent claims 4-6, 9-12, 14-17, and 45 further define novel features of the claimed embodiments and each depend, either directly or indirectly, from one of independent claims 1 and 44. Accordingly, for at least the foregoing reasons with respect to independent claims 1 and 44, dependent claims 4-6, 9-12, 14-17, and 45 are believed to be in condition for allowance by virtue of their dependency. *See, In re Fine*, 5 USPQ2d 1596, 1600 (Fed. Cir. 1988); *see also*, MPEP § 2143.01. As such, withdrawal of the anticipation rejection of dependent claims 4-6, 9-12, 14-17, and 45 is respectfully requested.

**CONCLUSION**

As set forth above, applicants respectfully submit that all pending claims are in condition for allowance. Applicants respectfully request that this application be allowed and passed to issue. Should, however, any issues remain prior to issuance of this application, the Examiner is urged to contact the undersigned to resolve the same. The Commissioner is hereby authorized to charge any additional amount required, or credit any overpayment, to Deposit Account No. 19-2112 referencing Attorney Docket No. MFCP.70154.

Respectfully submitted,

Date: October 23, 2006



Monplaisir Hamilton  
Reg. No. 54,851

SHOOK, HARDY & BACON L.L.P.  
600 14<sup>th</sup> Street, N.W.  
Suite 800  
Washington, DC 20005-2004  
Phone: (202) 783-8400